

BILL, 1954

Mr. SPEAKER.—Clause 1. The question is :

“That Clause 1 stand part of the Bill”.

The motion was adopted.

Clause 1 was added to the Bill.

Mr. SPEAKER.—Title and Preamble. The question is :

“That the Title and the Preamble stand part of the Bill”.

The motion was adopted.

The Title and the Preamble were added to the Bill.

Motion to pass.

Dr. R. NAGAN GOWDA.—Sir, I beg to move :

“That the Madras Preservation of Private Forests (Mysore Amendment) Bill, 1954, be passed.”

Mr. SPEAKER.—The question is :

“That the Madras Preservation of Private Forests (Mysore Amendment) Bill, 1954, be passed.”

The motion was adopted.

MADRAS SUGAR FACTORIES CONTROL (MYSORE AMENDMENT) BILL, 1954.

Motion to consider.

Dr. R. NAGAN GOWDA (Minister for Agriculture).—Sir, I now wish to move :

“That the Madras Sugar Factories Control (Mysore Amendment) Bill, 1954, be taken into consideration.”

This is also a Bill which has been brought in to repeal the Ordinance that was issued and which had to be issued in a hurry because necessity had arisen. I may say at once that the Act applies only to the Sugar Factory in Hospet. On the

authority of this Act the Government have been levying cess on the cane supplied to the factory at Hospet. In the previous years, they were fixing different rates for cane supplied to the factory. This year it was necessary that the rate of cess on the cane supplied to the Sugar Factory in Hospet had to be fixed by the Government. One provision of this Act says that the cess should be levied on cane carried to the sugar factory after consulting the Advisory Body. Now this Advisory Body, as it was constituted in the Madras State, consisted of owners of some of the factories and representatives of Sugar Cane growers coming from various parts of the Madras State, from Nellikuppam, Bobbili and Vuyyur and other areas. Now it is impossible for us to call this Advisory Body or consult them, and therefore, the amendment that is now brought here provides for omitting the words “after consulting the Advisory Committee”. The Sugar Factory started crushing on or about the 4th week of December. It was necessary for the Government to fix a rate and so by promulgating an Ordinance the Government omitted the words “after consulting the Advisory Committee”. This Bill is brought before you to amend the Act by omitting these words in sub-sections 1, 2 and 4 of Section 14 of the Madras Sugar Factories Control Act, 1949. I do not believe, Sir, and more explanation is needed for this.

*Sri R. ANANTARAMAN (Chamarajpet).—I want to know how much sugar is produced and how many acres of cane are crushed ?

Sri T. MARIAPPA (Mysore City—North).—What is the income from that source ?

Sri A. BHEEMAPPA NAIK (Molakalmuru).—How is that relevant ?

Mr. SPEAKER.—Motion moved :

“That the Madras Sugar Factories Control (Mysore Amendment) Bill, 1954, be taken into consideration.”

You can go on.

Sri R. ANANTARAMAN.—I request the Hon'ble Minister to enlighten us as to how much of sugar is manufactured in the Sugar Factory and in how many acres sugarcane is grown. That is very important while we take up this Bill; and secondly, I want to know another information whether there is any Special Officer because here it is the question of deleting the words "consulting the Advisory Committee". I want to know whether any Special Officer would be appointed in place of this Advisory Committee. It is better that the Hon'ble Minister will enlighten us about this matter.

Sri S. SRINIVASA IYENGAR (T.-Narsipur).—On a point of information, Sir. I want to know how the rates existing in Mysore compare with the rates according to the Madras Sugar Factories Act as regards the cess.

Sri J. MOHAMED IMAM (Jagalur).—I submit, our main handicap seems to be that we are not in possession of the original Acts. Of course, you were pleased to say that these Acts are available in the Library, but we regret that we did not take the trouble to get at them. We have to be guided by what is contained in the Amending Bill and it has created a number of doubts.

Mr. SPEAKER.—I would like the Leader of the Opposition to read the first sentence of the Statement of Objects and Reasons of the Bill.

Sri J. MOHAMED IMAM.—We are not opposing the Bill.

Sri A. BHEEMAPPA NAIK.—Sir, on a point of order. This is a money Bill. I want to know whether it has received the recommendation of His Highness the Rajpramukh to be brought before this House?

Sri J. MOHAMED IMAM.—There is already an Ordinance.

Sri A. BHEEMAPPA NAIK.—No, if it is a money Bill, the recommendation of His Highness is necessary.

Sri P. R. RAMAIYA (Basavan-gudi).—If there is a corresponding

Act in Mysore, why not apply it to Bellary District also?

Mr. SPEAKER.—This cannot be converted into a question hour. If any Hon'ble Member wants to make a speech or offer his remarks, he can go on and at the end of the debate the Hon'ble Minister will reply.

Sri J. MOHAMED IMAM.—I wish to make a few observations. Let me make it clear that I am not opposing this Bill.

Sri MULKA GOVINDA REDDY (Chitaldrug).—Sri Bheemappa Naik has already raised a very relevant point of order. We would like to know the ruling of the Chair before we proceed further with the Bill.

Sri A. BHEEMAPPA NAIK.—This is a money Bill and the assent of His Highness is necessary. That is the point I raised.

Dr. R. NAGAN GOWDA.—May I submit, Sir, that this is only an amendment to the Act that is already in force in Mysore?

Sri A. BHEEMAPPA NAIK.—This is not an amendment to Mysore Act; it is an amendment to Madras Act. Therefore, the Hon'ble Minister cannot say that the assent of His Highness is not necessary.

Mr. SPEAKER.—This is not a Money Bill in the first place. As you can read in clause (2), the Bill is only for omitting the words "after consulting the Advisory Committee", that is all.

Sri MULKA GOVINDA REDDY.—In the statement of Objects and Reasons it is stated "that it is necessary to increase the rate of sugarcane cess in Bellary District so as to bring it on a par with that obtaining in the rest of the State".

Dr. R. NAGAN GOWDA.—May I say, Sir, that under the Mysore Adaptation of Laws Order of 1953, this Sugar Factory Control Act of 1949 of Madras is in force in Bellary area? It has got all the force of an Act.

Mr. SPEAKER.—The point now raised by Sri A. Bheemappa Naik is, since this is a Money Bill, it must have the assent of the Rajpramukh;

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but it is not so. This may clearly be pointed out because the Bill has been brought only to omit in clause (2) the reference to the Advisory Body; that is all. As regards cess, etc., that question is not before the House in this Bill.

Sri A. BHEEMAPPA NAIK.—The mention of it should have been omitted safely, Sir.

Mr. SPEAKER.—It is simply mentioned in the Statement of Objects and Reasons.

Sri S. SRINIVASA IYENGAR (T.-Narasipur).—Sir, section 14 of the Madras Sugar Factories Act reads as follows :—

“Government may, after consulting the Advisory Body, by a notification levy a cess not exceeding 4 annas per standard maund as defined in the Standards of Weight Act, 1939, on the sugarcane brought into in any area”.

Here the words used are “after consulting the Advisory Committee”. The Hon'ble Minister while introducing the Bill said “in consultation with the Advisory Committee.” That section does not make it obligatory on the part of the Government to agree with the opinion given by the Advisory Committee. Even if that part is allowed to remain in the section, it would not have mattered, because no section of this Act makes it obligatory on the part of Government to accept whatever be the recommendations of the Advisory Committee.

Sri A. BHEEMAPPA NAIK.—Is there not an obligation on the part of the Government at least to consult, although it is not bound by the Committee's opinion? To obviate that procedure, Government have brought in this Bill.

Sri S. SRINIVASA IYENGAR (T.-Narasipur).—In the Statement of Objects and Reasons it is stated that the rate of taxation now prevailing in Mysore State is higher than that in Bellary and with the object of bringing the taxation in Bellary on a par

with that in Mysore State, the Government seems to feel that this amendment is necessary. I had asked for information from the Government as to whether the rate now prevailing in Bellary is higher than that in Mysore State because I know in Mysore State the rate is Rs. 6 per ton; in Bellary it is 4 annas per maund. I want a clarification from Government whether, by passing this Bill, we would be raising the rate or lowering the rate.

Sri MULKA GOVINDA REDDY.—I remember that in the Andhra Act, there was a mention that the rules and Acts that are in force in Bellary District should continue to be in force for a period of a year or so, and while we discussed previously the Madras Preservation of Private Forests (Mysore Amendment) Bill, it was stated that the Act in force in Madras should be extended to be applied for another year and if that is the case why should we not allow the present Act as it is in Madras to be made applicable to Bellary until such time when we can think of formulating the application of Mysore Acts to Bellary? And further, as has been pointed out in the Statement of Objects and Reasons, it is quite likely that the Government are going to enhance the rate of sugarcane cess which would act adversely on the raiyats, especially the sugarcane growers in Bellary District and they may feel that, when they have just joined Mysore, the Government of Mysore is already thinking of taxing the people in Bellary. It would act very adversely and, psychologically too, they will not welcome such a measure.

2 P.M.

When that is the case, is it not desirable that the Government should drop this measure? There is absolutely nothing wrong in consulting the Advisory Committee. They can, if they choose, appoint the Advisory Committee consisting of members coming from those areas. I do not know what difficulty is there to

(SRI MULKA GOVINDA REDDY.)

Government in appointing the Advisory Committee. I, therefore, feel that this amendment does not seem to be necessary.

Sri B. NARAYANASWAMY (Mysore City—South).—There seems to be some confusion in the mind of my friend, Sri Mulka Govinda Reddy. The point is, not that the Madras Act should be continued in Bellary, but who is to administer the Act. As it stands, Bellary has been transferred to Mysore and the Madras Act cannot prevail there. Under the Madras Act, there is a Consultative Committee. Now, the Government of Mysore who are administering the factory cannot consult nor have they any control over the Committee referred to in the Madras Act. That is why this amendment has become very necessary. After all, this is a very innocuous measure to remove a particular defect in the Madras Act. As such the Amendment Bill can be passed.

Dr. R. NAGAN GOWDA.—Mr. Speaker, Sir, I would like to say a few words in the way of answering some of the points that have been raised. As the last speaker just now suggested, this is an innocuous measure to remove some of the defects in the administration of this Act. There is no need to see more than what is on the surface of the Act. Sri Mulka Govinda Reddy raised a very important point, *viz.*, the raiyats in the Bellary area would feel aggrieved that as soon as they have come to Mysore area, they have been burdened with extra taxes. This cess is to be paid by the sugar factory. Similar cess is levied in Mandya and the rate is much higher than what is fixed by Government now. So, there is no need to fear that the raiyats will be affected by this. Sri S. Srinivasa Iyengar wanted to know the rate. It should not be more than Re. 0-4-0, i.e., Rs. 6-12-0 per Imperial maund. It is not the intention of the Government to levy a higher rate than Re. 0-4-0 that has been suggested there. If it was the intention of the

Government to fix a higher rate, then, probably another amendment would have been brought. But that question does not arise here. Sri Ramaiya was suggesting: why not apply to Bellary the Mysore Act? This Act is in force and we had to do this very urgently as the factory had started crushing. Along with other Acts, this Act also will be repealed in course of time and Acts of Mysore will be applied to Bellary also. The Leader of the Opposition was feeling some doubts because the copy of the Act was not distributed. But, for a short period it was felt unnecessary to type these things and distribute them. Sri Anantaraman and some other member wanted information about the quantity of sugar produced in Hospet. They are producing on an average 10,000 tons of sugar in Hospet, and they are crushing something like one lakh tons of sugarcane. The idea of this levy is the same as it is in Mysore, that is, for the purpose of repairing the roads in the sugar factory area. I think it is better that this money is used only for that purpose because the roads in the sugar factory area require considerable amount of repair as there will be heavy traffic always on the roads.

Sri J. MOHAMED IMAM.—10,000 tons means 80,000 maunds and we are getting a revenue of Rs. 20 lakhs a year.

Dr. R. NAGAN GOWDA.—It would be one lakh tons of sugarcane for 10,000 tons of sugar. Cess is levied on sugarcane. So, with this explanation, I request the House to give their consent to this Bill.

Mr. SPEAKER.—If you read Section 14 of the Madras Sugar Factories Control Act, 1949, the matter will become clear.

Dr. R. NAGAN GOWDA.—Section 14 says:

“The Government may, after consulting the Advisory Committee, by a notification levy a cess not exceeding four annas per standard maund as defined in the Standards of Weight Act.....”

Mr. SPEAKER.—“After consulting the Advisory Committee” is proposed to be omitted in sub-sections 1, 2 and 4 of section 14. As regards the date, there is a notification on 5th January 1954. So, it is very clear that this is not a money bill.

The question is :

“That the Madras Sugar Factories Control (Mysore Amendment) Bill, 1954 be taken into consideration.”

The motion was adopted.

Mr. SPEAKER.—Clauses 2 and 3. The question is :

“That Clauses 2 and 3 stand part of the bill.”

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Mr. SPEAKER.—Clause 1. The question is :

“That Clause 1 stand part of the Bill.”

The motion was adopted.

Clause 1 was added to the Bill.

Mr. SPEAKER.—Title and Preamble. The question is :

“That the Title and the Preamble stand part of the Bill.”

The motion was adopted.

The Title and the Preamble were added to the Bill.

Motion to pass.

Dr. R. NAGAN GOWDA.—Sir, I beg to move :

“That the Madras Sugar Factories Control (Mysore Amendment) Bill, 1954 be passed.”

Mr. SPEAKER.—The question is :

“That the Madras Sugar Factories Control (Mysore Amendment) Bill, 1954 be passed.”

The motion was adopted.

MYSORE CO-OPERATIVE SOCIETIES (EXTENSION OF APPLICATION TO BELLARY) BILL, 1954.

Motion to consider.

Dr. R. NAGAN GOWDA (Minister for Agriculture).—Mr. Speaker, Sir, I move :

“That the Mysore Co-operative Societies (Extension of Application to Bellary) Bill, 1954 be taken into consideration.”

In doing so, I wish to make a few remarks. Co-operation in Bellary District has made considerable progress and it affects the lives of a large number of people considerably and so it is necessary that this Mysore Co-operative Societies Act be brought into force in that area immediately. What happened in Bellary was this. Since the Madras rules were in force, after October 1st, it was not possible for the Co-operative Societies and the two Central Banks, namely, the Bellary District Co-operative Central Bank which is located in Hospet and has been doing considerable amount of work and the Hospet Co-operative Land Mortgage Bank which also has been doing good and large amount of work for a number of years, to get any advance from the Apex Bank in Mysore nor can they get money from the Madras or Andhra Banks; naturally they could not. So, the work was held up and they came to the Government for immediate action. Therefore, it was necessary to promulgate an Ordinance.

Mr. SPEAKER.—Motion moved :

“That the Mysore Co-operative Societies (Extension of Application to Bellary) Bill, 1954 be taken into consideration.”

Sri MULKA GOVINDA REDDY (Chitaldrug).—When was that Ordinance promulgated?

Dr. R. NAGAN GOWDA.—On 17th December 1953 and it was published in the Gazette on the 23rd December 1953.